

Mrs. CLAYTON. Mr. Speaker, today we begin the debate on the issues surrounding H.R. 5, the Unfunded Mandate Reform Act. As we consider this matter, let us not be blind supporters of a bill that may threaten the well-being of Americans, a bill that seems to threaten to eliminate Federal standards for workplace safety. Mr. Speaker, safety in the workplace has been a priority for the Federal Government since 1938, when President Roosevelt signed into law the Fair Labor Standards Act.

Subsequently, in 1970, with the passage of the Occupational Safety and Health Act, this commitment to high standards for the safety of our workers was solidified. I believe that laws such as these should be exempt from the provisions set out in H.R. 5. In fact, the sponsors claim that the safety and health areas are excluded. As a former county official, I am very sensitive to, and well acquainted with the potential financial and administrative burdens that Federal unfunded mandates place on State governments. I strongly believe, however, that when giving thought to reducing those burdens, we do not sacrifice the rights of American workers.

Entities within the States, sometimes, because of other pressures and interests, fail to follow minimum standards of safety, and fail to adequately protect the public. That is why the Federal Government has historically exercised a role in the area of health and safety. I am reminded, for example, of the Hamlet fire that occurred in my home State of North Carolina in 1991. Two hundred people were at work that day in a chicken processing plant, mostly young women, trying to support families. Suddenly, a hydraulic hose broke, its oil catching fire when it hit an open flame used to boil oil to fry the chicken.

Twenty-five workers lost their lives. The owner was found guilty of manslaughter, and numerous safety violations were found. I am proud to say that after the fire my home State of North Carolina met the responsibility headon, doubling its number of OSHA inspectors and putting nine million more dollars of funding into the program to ensure that we met the Federal standards, that we protected the public.

It should not take a tragedy like the fire in North Carolina, however, to spur entities on in their responsibility. States can benefit from and these entities, public and private, and need Federal imposition of minimum health and safety standards. I intend to sponsor an amendment that will make clear that Federal workplace safety standards will not be abandoned by language that is overreaching and overly broad. If we pass the Unfunded Mandate Reform Act without making that principle clear, we may find that on worker health and safety issues we have turned the clock back more than half a century. Without an express and specific exemption for workplace safety

laws, that step back in time is a real possibility. More importantly, it will become a real possibility as soon as the unfunded mandate law takes effect. That is because we are sure to be considering the basic workplace safety laws during this and future sessions.

It should not escape our attention, Mr. Speaker, that workplace safety laws were first adopted by the States. Massachusetts passed the first law in 1877. By 1890, 21 States had passed occupational safety and health laws, and by 1920 every State in the Union had enacted such a law. But these laws did not go far enough. These laws lacked the teeth to adequately protect the public and workers on the job. That is why the Federal Government stepped in.

Before the enactment of the Fair Labor Standards Act and, ultimately, the Occupational Safety and Health Act, there were an estimated 14,500 persons killed annually as a result of accidents on the job. Another 2.2 million workers were disabled on the job each year, causing the loss of some 250 million employee work days. And some 390,000 new cases of occupational diseases occurred on an annual basis. As a consequence of these deaths and injuries, more than \$1.5 billion was wasted each year in lost wages, and the Nation lost an estimated \$8 billion from its gross national product.

It is obvious, therefore, Mr. Speaker, that the issue of workplace safety is an issue which we in the Congress have a right, indeed a constitutional duty, to insure.

The cost to the States of meeting the minimum standards imposed by the Federal Government are not so severe as to abandon this very important principle. Indeed, the Federal Government pays for the workplace safety inspectors. But, the cost to the public if we abdicate our responsibility and surrender workplace safety protections can be quite severe.

Just ask the families and friends of those who died in the Hamlet fire. Just ask the loved ones of those whose lives were cut short or whose limbs were lost before we imposed minimum standards. Mr. Speaker, this is not a matter that should be rushed through and rubber stamped because some Members believe it is more important to make some point in 100 days than it is to save 100 lives. I hope every reasonable amendment will be considered as we seek to perfect this bill. The public is entitled to nothing less.

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UNFUNDED MANDATES

(Ms. JACKSON-LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, I come here today to talk about a very important issue that impacts the 17,000 towns and cities that I have had the honor of being involved with as a city council member but also as a member of the board of directors of the National League of Cities. We must protect our Nation's cities from any ten-

dencies this governing body may have of shifting the cost of federally mandated programs to our lower levels of government. I have been there. I know what it means to balance the budget. As a former member of the Houston City Council, I can testify to those frustrations and the hard work they put in when we attempt to work with the needs of our community.

The local government must face the times when they have to have a strict budget and a budget that complies with the laws of that particular community. So there must be a need to understand the burden it puts on those local jurisdictions when Congress dictates legislation that they have to pay for.

My concerns over the issue of unfunded mandates arise particularly in light of current debates over the past decade of a balanced budget constitutional amendment. If the amendment is passed, Congress will be forced to tighten its financial belt, which is something that none of us would argue as unnecessary.

But at the same time, we all know that Congress will continue to make laws and many of these laws will undoubtedly carry with them the mandate of enforcement without the backing of the Federal check if we do not pass a protective law such as the one we are passing today on unfunded mandates.

However, I think there are concerns we raise on H.R. 5, and that is we all want to have clean water; we want to have safe food; and we want to have a fair working standard. So it is important that we must not overburden our local governments.

Yes, we must not overburden our local governments to pay for regulatory matters sent down from the Federal Government that are unfunded, but shall we outlaw regulations which are partially funded? Regulations which are important protective measures for our environment, health, and safety?

We do need to look at the issue of unfunded mandates, especially as they may pertain to the increased frequency expected to accompany a passed balanced budget amendment. We must also stop to realize that we cannot fully fund all of the measures that we need to pass, and that perhaps we can send them to the local governments at least partially funded rather than the current trend of sending them unfunded.

THE FREEDOM AND SELF-DETERMINATION FOR THE FORMER SOVIET UNION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, on Friday, I introduced H.R. 519, the Freedom and Self-Determination for the Former Soviet Union Act. It is so entitled because enactment of the bill into law would greatly help to reverse the trend in the former Soviet Union toward renewed Russian imperialism. That trend is being fueled by a Russocentric United States

foreign policy which appeases Russia's every move and ignores the legitimate security concerns of Russia's neighbors. A major aspect of that Russocentric policy is the massive and unconditional aid that we have been pumping into Russia for over 3 years. Continuing to give Russia this assistance despite her increasingly aggressive foreign policy, arms-control violations, statist economic policies, and now her brutal attack on Chechnya sends the message that we approve of these reactionary policies. We need to send the message that we don't approve and that is why I introduced this bill.

Mr. Speaker, no one disputes that a democratic, capitalist Russia that has shed the imperial mentality would be greatly in our interest. The question has always been how, or ever whether, we could help. I have long been skeptical as to even whether we could help, given the transmogrification of Russia at the hands of the Communists, her 1,000-year legacy of autocracy, statism and imperialism, her vast size, her traditional reclusiveness, and of course, the massive and irrefutable failure of foreign aid worldwide throughout the postwar era. However, given the gravity of the situation, even I was willing to support some aid to Russia after Yeltsin and Gaidar embarked on shock therapy in January 1992.

But Mr. Speaker, it is time for us to admit the reality that the reform effort in Russia has failed, and along with it, our aid program. Russia today is not the Russia of 1992 or even 1993, a country racing full speed ahead away from Communism and toward democracy, free markets, and a Western-oriented foreign policy. Today, Russia is once again reactionary.

Let's look at it objectively. Shock therapy was abandoned within weeks of its inception. A purge of economic liberals in the government began in April 1992 and was completed by January 1994. Today, the only liberal in the government is Anatoly Chubais, and he can't even get his subordinates to return his phone calls.

But isn't Yeltsin still a reformer? If so, why then after the ruble crash last September, did Yeltsin replace old thinkers at the Central Bank and Finance Ministry with, well, more old thinkers? The fact is, Mr. Speaker, there are no economic reformers and there is no economic reform in Russia. The history of pouring foreign aid into countries that are not serious about economic reform is a sad one, and it would be folly if we were to ignore this lesson now. When speaking of ways to balance the budget, this is truly a gimme spending cut.

But the story does not even end with the fact that Russia is a black hole and that we need to balance our budget. We must look at this from a foreign policy perspective. Indeed, the whole rationale for our aid program was that it would turn Russia into a better neighbor, right? Well, let's look at Russia's behavior since we started appropriating the billions of dollars.

Russia has vetoed NATO expansion and made implicit threats against Poland and other would-be members. Russia has attempted to subordinate NATO to the OSCE while simultaneously impeding OSCE efforts in Moldova and Nagorno-Karabakh. Russia illegally demobilized thousands of troops in Estonia and Latvia just prior to the troop withdrawal deadline last August. Russia illegally has begun the unilateral demarcation of the Russian-Estonian border. Russia routinely violates Lithuanian

territory ferrying troops and arms to the Kaliningrad region. Russia continues to occupy Moldova with 10,000 troops and enough weaponry for a 200,000-man army. Russia used classic Soviet-style divide-and-rule tactics to bring Georgia to heel, and is now preparing to occupy the country militarily. Russia helped depose the democratically elected President of Azerbaijan, Mr. Elchibey. Russia has blatantly interfered in the sovereign commercial affairs of Kazakhstan and Azerbaijan. Russia supports a reactionary Communist regime in Tajikistan which overthrew the legitimate government there in 1992. Recent Russian policies and statements reflect clearly a trend toward, indeed a near-obsession with, the re-integration of the CIS states into some form of Russian-dominated union.

And it goes beyond the former Soviet Union, Mr. Speaker. Russia continues to supply arms to Syria, Iran, and possibly, Serbia. Russia is diligently seeking to emasculate the sanctions against Iraq. Russia is providing economic aid and intelligence information to Castro. On to arms control, it has been known for a long time now that Russia is violating the 1972 Biological Weapons Convention and the 1989 MOU on chemical arms. She is also seeking to wiggle out of the CFE accords, due to take effect in November. As we pay Russia to destroy old and obsolete nuclear weapons, she continues work on a new generation of nukes. And what about intelligence activities? Russia has still not come clean on the Ames spy case and has even provided money to Rosario Ames.

I am nearly out of breath, but unfortunately, I am not done yet. Because I haven't even alluded to the awful events in Chechnya. No matter where one comes down on the question of Russia's territorial integrity, the methods of Russia in Chechnya can only be described as barbaric and despicable. They have razed a city to the ground with indiscriminate aerial attacks. They have wantonly killed woman, children, and the elderly. And finally, the fact that the overwhelming majority of Russian citizens opposed the invasion of Chechnya speaks volumes about the extent of democratization in Russia.

Mr. Speaker, in light of all this, how can we say with a straight face that Russia is a democracy? Is reformist? Is a strategic partner with the West? How can we say that our aid has done any good? How can we paint Russia as a deserving recipient of taxpayer largesse? How can we justify this to the people who sent us here on November 8?

I can't, and that is why I have introduced this legislation. My bill would immediately freeze all bilateral aid to Russia, including previously appropriated and obligated funds, pending Presidential certification to Congress that Russia has met 14 conditions. The conditions pertain to Russia foreign policy, arms control policy, economic policy, and intelligence activities. In order to receive aid, Russia would have to halt the violence in Chechnya, cease interfering in her neighbors affairs, comply with all arms control agreements, limit her intelligence activities to routine, nonadversarial information gathering, end arms sales to terrorist nations, stop aiding Castro, and re-initiate capitalist economic reform.

The bill would also require the executive branch to oppose all multilateral loans to Russia. Both the President and the GAO would

also be required to submit reports to Congress concerning the money we have given Russia to date. The taxpayers have a right to know what happened to this money. There are exemptions in the bill for humanitarian aid, certain exchanges, NED programs, and disarmament funds.

Mr. Speaker, the Freedom and Self-Determination for the Former Soviet Union Act will send a powerful message to Russia that in exchange for American assistance, certain standards of behavior must be met. This will prop up, not undercut, Russian reformers. To date, they have had no good reason to say no to the reactionaries. This policy will help shore up the sovereignty and security of Russia's neighbors. This policy will increase the security of Americans by limiting Russian spying, ensuring Russian arms control compliance, and reducing Russian assistance to terrorist nations.

And if Russia doesn't comply and the aid is cut off forever, it is still a winning situation for everyone concerned. Cutting off aid permanently will enhance the prospects for Russian reform by removing the crutch that has obviated them of the need to make the tough but necessary economic decisions. More importantly, it will save American workers from wasting their money on a country that we cannot save, is doing so little to save itself and is doing so much harm to so many people.

UNFUNDED MANDATE REFORM ACT OF 1995

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, I have serious concerns regarding H.R. 5, the Unfunded Mandate Reform Act of 1995. While I am generally supportive of the need to ease the burden on State and local governments, I do not believe we should rush through legislation that effects our health, safety, and environmental standards without closer examination.

The Great Lakes region, for example, is a fragile ecosystem which depends on the cooperation of its surrounding States. Dumping of sewage or other toxins by one State or municipality significantly impacts the entire Great Lakes region. Pollution does not respect State, geographic or political boundaries. Who then pays for—let's say—airborne pollutants generated in one State, which land in and produce acid rain in neighboring States?

Northern Michigan is a pristine region whose inland lakes are dying from airborne pollutants originating in steel mills in cities such as Gary, IN, and Chicago, IL. Without any Federal safeguards or minimal national standards, which State will take the lead in stopping this air pollution that creates acid rain. And more importantly, which State would pay, Michigan, Indiana, or Illinois? These are questions that must be answered, not ignored in the haste, to create unfunded mandates legisla-